

FILED DEC 4 1986

1987 FEB -5 PM 2:18
HOUSE OF REPRESENTATIVES
copy of HJR #18, which
was filed of record on 12-4-86
and referred to the committee on:

County Affairs

Benny Williamson
Chief Clerk of the House

By Williamson

H.J.R. No. 18

A JOINT RESOLUTION

1 proposing a constitutional amendment relating to the creation, operation and
2 financing of jail districts.

3 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

4 SECTION 1. That Article III of the Texas Constitution is amended by
5 adding Section 48-e to read as follows:

6 "Section 48-e. The Legislature, by law, may provide for the creation,
7 operation and financing of jail districts and may authorize each district to
8 issue bonds and other obligations and to levy an ad valorem tax on property
9 located in the district to pay principal of and interest on the bonds and to
10 pay for operation of the district. An ad valorem tax may not be levied and
11 bonds secured by a property tax may not be issued until approved by the
12 qualified electors of the district voting at an election called and held for
13 that purpose."

14 SECTION 2. That this proposed constitutional amendment shall be
15 submitted to the qualified electors of the State at an election to be held on
16 November 3, 1987. The ballot shall be printed to provide for voting for or
17 against the proposition: "The constitutional amendment relating to the
18 creation, operation and financing of jail districts."

HOUSE COMMITTEE REPORT

1987 MAR 26 PM 4: 14
HOUSE OF REPRESENTATIVES

1st. Printing

By Williamson

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19 constitutional amendment relating to the creation, operation and
20 financing of jail districts."

COMMITTEE REPORT

The Honorable Gib Lewis
Speaker of the House of Representatives

3-24-87
(date)

Sir:

We, your COMMITTEE ON COUNTY AFFAIRS,
to whom was referred HJR 18 have had the same under consideration and beg to report
(measure)
back with the recommendation that it

☒ do pass, without amendment.
☐ do pass, with amendment(s).
☐ do pass and be not printed; a Complete Committee Substitute is recommended in lieu of the original measure.

A fiscal note was requested. ☒ yes ☐ no An actuarial analysis was requested. ☐ yes ☒ no

An author's fiscal statement was requested. ☐ yes ☒ no

~~The Committee recommends that this measure be placed on the (Local) or (Consent) Calendar.~~

This measure ☒ proposes new law. ☒ amends existing law.

House Sponsor of Senate Measure _____

The measure was reported from Committee by the following vote:

	AYE	NAY	PNV	ABSENT
Stiles, Ch.	X			
Eckels, V.C.	X			
Whaley, C.B.O.	X			
Campbell	X			
Carriker	X			
Edge	X			
Finnell	X			
Harrison	X			
Jones				X
Melton	X			
Patterson	X			
Robinson	X			
Willy	X			

Total
12 aye
0 nay
0 present, not voting
1 absent

[Signature]
CHAIRMAN
[Signature]
COMMITTEE COORDINATOR

BILL ANALYSIS

By: Williamson

H.J.R. 18

BACKGROUND

Currently property owners and or commissioners courts of a county or two or more counties have no power to create jail districts.

PURPOSE

H.J.R. 18 would allow the Legislature to enact HB 400, which would allow for the creation of jail districts, so that counties may finance and effect the construction, acquisition, or improvement of a jail facility.

SECTION-BY-SECTION ANALYSIS

SECTION 1. Amends Article III of the Texas Constitution by adding Section 48-e, allowing the Legislature, by law, to provide for the creation, operation, and financing of the jail districts.

SECTION 2. Requires this proposed constitutional amendment to be submitted to the qualified voters at an election to be held on November 3, 1987.

RULEMAKING AUTHORITY

It is the opinion of this Committee that this proposed constitutional amendment would delegate rulemaking authority to the Texas Commission on Jail Standards.

SUMMARY OF COMMITTEE ACTION

H.J.R. 18 was considered in a public hearing on March 3, 1987. No one was present to testify for or against H.J.R. 18. H.J.R. 18 was referred to a subcommittee which held a formal meeting on March 24, 1987. At that meeting H.J.R. 18 was adopted and reported favorably back to the committee. The subcommittee report was considered by the full committee on March 24, 1987. The motion to report the joint resolution favorably carried with a vote of 12 Ayes, 0 Nays, 0 PNV, 1 Absent.

Committee on County Affairs
02/26/87, Rev. 03/24/87
SEM, AEH

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE

February 26, 1987

TO: Honorable Mark W. Stiles, Chair
Committee on County Affairs
House of Representatives
Austin, Texas

In Re: House Joint Resolution No. 18
By: Williamson

FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on House Joint Resolution No. 18 (proposing a constitutional amendment relating to the creation, operation and financing of jail districts) this office has determined the following:

The resolution proposes a constitutional amendment which, if adopted, would authorize the Legislature to provide for the creation, operation, and financing of jail districts. The proposed amendment would be submitted to the voters on November 3, 1987.

The cost of publication of the resolution to the State is estimated to be \$45,000.

The constitutional amendment would be implemented by House Bill No. 400, or similar legislation.

House Bill No. 400 would authorize the creation of a jail district by a county or by two or more counties that have contracted with one another for the joint operation of a jail.

The bill would empower a jail district to acquire and lease property through the power of eminent domain, to enter into contracts for the construction and improvement of jail facilities, to issue and sell bonds for the purpose of acquiring land for jail facilities, and to levy property taxes. The district would be authorized to apply for, accept, receive, and administer gifts, grants, loans, and other funds.

The bill would only have fiscal implication for those counties that choose to form a jail district. The fiscal implication of the bill cannot be determined since the number of counties that would form a jail district is not known.

No fiscal implication to the State is anticipated.

Source: Comptroller of Public Accounts;
LBB Staff: JO, HES, JWH, GL, MC

HOUSE ENGROSSMENT

1987 APR 27 PM 10:10

HOUSE OF REPRESENTATIVES

By Williamson

H.J.R. No. 18

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LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE

February 26, 1987

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Committee on County Affairs By: Williamson
House of Representatives
Austin, Texas

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Source: Comptroller of Public Accounts;
LBB Staff: JO, HES, JWH, GL, MC

SENATE FAVORABLE COMMITTEE REPORT

Lt. Governor William P. Hobby
President of the Senate

5-21-87
(date)/(time)

Sir:

We, your Committee on STATE AFFAIRS to which was referred
HB 18 by Williamson have on 5/20, 1987, had the same
(measure) (sponsor) (hearing date)

under consideration and I am instructed to report it back with the recommendation (s) that it

☒ do pass and be printed

☐ do pass and be ordered not printed

☐ and is recommended for placement on the Local and Uncontested Bills Calendar.

A fiscal note was requested. ☒ yes ☐ no

A revised fiscal note was requested. ☐ yes ☒ no

An actuarial analysis was requested. ☐ yes ☒ no

Considered by subcommittee. ☐ yes ☒ no

Senate Sponsor of House Measure Farabee

The measure was reported from Committee by the following vote:

	YEA	NAY	PNV	ABSENT
Farabee, Chairman	<input checked="" type="checkbox"/>			
Blake, Vice Chairman	<input checked="" type="checkbox"/>			
Barrientos	<input checked="" type="checkbox"/>			
Caperton	<input checked="" type="checkbox"/>			
Edwards	<input checked="" type="checkbox"/>			
Harris	<input checked="" type="checkbox"/>			
Henderson				<input checked="" type="checkbox"/>
Leedom	<input checked="" type="checkbox"/>			
Lyon				<input checked="" type="checkbox"/>
McFarland				<input checked="" type="checkbox"/>
Parmer				<input checked="" type="checkbox"/>
Sarpalius				<input checked="" type="checkbox"/>
Washington				<input checked="" type="checkbox"/>
TOTAL VOTES	7			6

Shanna Dgo
COMMITTEE CLERK

Farabee
CHAIRMAN

F
ENROLLED

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H.J.R. No. 18

President of the Senate

Speaker of the House

I certify that H.J.R. No. 18 was passed by the House on April 27, 1987, by the following vote: Yeas 135, Nays 3, 1 present, not voting.

Chief Clerk of the House

I certify that H.J.R. No. 18 was passed by the Senate on May 22, 1987, by the following vote: Yeas 30, Nays 0.

Secretary of the Senate

RECEIVED: _____

Date

Secretary of State

President of the Senate

Speaker of the House

I certify that H.J.R. No. 18[✓] was passed by the House on
(1)

April 27[✓], 1987, by the following vote:
(2)

Yeas 135⁽³⁾, Nays 3⁽⁴⁾; 1 present, not voting.

Chief Clerk of the House

I certify that H.J.R. No. 18[✓] was passed by the Senate on

May 22[✓], 1987, by the following vote:
(5)

Yeas 30⁽⁶⁾, Nays 0⁽⁷⁾

Secretary of the Senate

RECEIVED:

Date

Secretary of State

**** Preparation: 'A;CT47;

HOUSE JOINT RESOLUTION

proposing a constitutional amendment relating to the creation,
operation, and financing of jail districts.

Dec. 4, 1986

1. Filed with the Chief Clerk.

FEB 5 1987

2. Read first time and referred to Committee on

County AffairsMAR 24 19873. Reported favorably ~~(as amended)~~
~~(as substituted)~~ and sent to Printer at5:25 p.m.
MAR 25 1987MAR 26 1987

4. Printed and distributed at

4:14 p.m.MAR 27 1987

5. Sent to Committee on Calendars at

10:49 amAPR 27 19876. Read second time ~~(amended)~~ and (finally) passed ~~unanimously~~ by a Record Vote
of 135 yeas, 3 nays, 1 present, not voting.7. Motion to reconsider and table the vote by which H.J.R. _____ was ordered
engrossed prevailed (failed) by (Non-Record Vote) (Record Vote of _____
yeas, _____ nays, _____ present, not voting).8. Read third time (amended) and finally adopted (failed of adoption) by a Record Vote
of _____ yeas, _____ nays, _____ present, not voting.

9. Caption ordered amended to conform to body of resolution.

10. Motion to reconsider and table the vote by which H.J.R. _____ was finally
adopted prevailed (failed) by a (Non-Record Vote) Record Vote of _____
yeas, _____ nays, and _____ present, not voting).APR 27 1987

11. Ordered Engrossed at

5:00 pmAPR 27 1987

12. Engrossed.

APR 27 1987

13. Returned to Chief Clerk at

10:19 pmAPR 28 1987

14. Sent to the Senate.

Betty Murray
Chief Clerk of the HouseAPR 28 1987

15. Received from the House

APR 29 198716. Read, referred to Committee on STATE AFFAIRSMAY 21 1987

17. Reported favorably

18. Reported adversely, with favorable Committee Substitute; Committee Substitute
read first time.

19. Ordered not printed.

MAY 22 1987

20. Regular order of business suspended by

unanimous consent
~~(a viva voce vote.)~~1 yeas, _____ nays.)21. To permit consideration, reading and passage, Senate and Constitutional Rules
suspended by vote of _____ yeas, _____ nays.MAY 22 1987

22. Read second time

passed to third reading by:
(a viva voce vote.)
_____ yeas, _____ nays.)

23. Caption ordered amended to conform to body of bill.

MAY 22 1987

24. Senate and Constitutional 3-Day Rules suspended by vote of 29 yeas,
1 nays to place bill on third reading and final passage.

MAY 22 1987

25. Read third time and passed by

(~~a viva voce vote.~~)
(30 yeas, 0 nays.)

OTHER ACTION:

OTHER ACTION:

Betty King

Secretary of the Senate

5-22-87

26. Returned to the House.

MAY 22 1987

27. Received from the Senate (with amendments-)
(~~as substituted.~~)

28. House (Concurred) (Refused to Concur) in Senate (Amendments) by a (Non-Record
(Substitute) Vote) (Record Vote of _____ yeas, _____ nays, _____ present,
not voting).

29. Conference Committee Ordered.

30. Conference Committee Report Adopted (Rejected) by a (Non-Record Vote) (Record
Vote of _____ yeas, _____ nays, and _____ present, not voting).

MAY 22 1987

31. Ordered Enrolled at

4:19 pm

HOUSE OF REPRESENTATIVES

1097 APR 27 PM 10:10

HOUSE OF REPRESENTATIVES

11987 MAR 26 PM 4:14

5A

18